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PATENT

1892-174 (81841.0044)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Mark J. KITTOCK et al.

Serial No: 09/771,471

Filed: January 26, 2001

For: METHOD AND SYSTEM FOR PICKING
AND PLACING VESSELS

Art Unit: 3652

Examiner: (Not Assigned)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:
Commissioner for Patents
Washington D.C. 20231, on
May 7, 2001

Date of Deposit
Wei-ning Yang, Reg. No. 38,690

Name

Signature

5/7/01
Date

**RESPONSE TO NOTICE TO FILE CORRECTED
APPLICATION PAPERS**

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the "Notice to File Corrected Application Papers" dated March 8, 2001, enclosed are:

1. An Associate Power of Attorney naming the undersigned.
2. A copy of the "Notice to File Corrected Application Papers" dated March 8, 2001.
3. Substitute drawings (Figures 1, 2, 3 and 4) with appropriate margins.
4. A Petition and evidence that Figures 3(a)-3(f) were not omitted with the nonprovisional application papers.
5. Original Figure 3 including Figures 3(a)-3(f), and a substitute Figure 3 more clearly identifying Figures 3(a)-3(f).
6. A check in the amount of \$130 for the Petition fee.
7. Return postcard.

Please charge any insufficiency or credit any overpayment to Deposit Account No. 50-1314. A copy of this document is enclosed.

Respectfully submitted,
HOGAN & HARTSON L.L.P.

Date: May 7, 2001

By: 
Wei-ning Yang
Registration No. 38,690
Attorney for Applicant(s)

500 South Grand Avenue Suite 1900
Los Angeles, California 90071
Telephone: 213 337-6700
Facsimile: 213 337-6701



PATENT

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3.

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Date

PETITION

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the "Notice to File Corrected Application Papers" dated March 8, 2001, applicant submits that Figures 3(a)-3(f), which the Notice indicates as having been omitted from the application papers, were in fact originally filed as Figure 3, with items (a)-(f) marked thereon. A copy of the original Figure 3 including items (a)-(f) is enclosed.

For clarification, further enclosed is a substitute Figure 3 (also included in the set of substitute drawings required by the Notice) which comprises the same figures as those shown on original Figure 3 but specifically identifies items (a)-(f) on Figure 3 as Figures 3(a)-3(f).

Enclosed is a check in the amount of \$130 pursuant to 37 C.F.R. § 1.17(i). If it should be determined that Figures 3(a)-3(f) were received by the PTO in the original application papers, please refund the petition fee to Beckman Coulter Inc. at the address shown on the Notice.

Respectfully submitted,
HOGAN & HARTSON L.L.P.

Date: May 7, 2001

By:

Wei-ning Yang
Registration No. 38,690
Attorney for Applicant(s)

500 South Grand Avenue Suite 1900
Los Angeles, California 90071
Telephone: 213 337-6700
Facsimile: 213 337-6701

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WASHINGTON, D.C. 20231
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|--------------------|---------------------|-----------------------|------------------------|
| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
| 09/771,471 | 01/26/2001 | Mark J. Kittock | 1892-174 |

**22471
BECKMAN COULTER INC
4300 NORTH HARBOR BOULEVARD
P.O. BOX 3100
FELTERTON, CA 928343100**

FORMALITIES LETTER



"OC0000000005838262"

Date Mailed: 03/08/2001

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:

- drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

The following item(s) appear to have been omitted from the application:

- Figure(s) 3(a) - 3(f) described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the Patent and Trademark Office (PTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(i))) with evidence of such deposit must be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the PTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the PTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date must be filed within TWO MONTHS of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the PTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) OR (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the PTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the PTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

*A copy of this notice **MUST** be returned with the reply.*

Seble

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART I - ATTORNEY/APPLICANT COPY